

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division**

In re:)	
)	
RICE TIMBER SOLUTIONS, LLC,)	Case No. 20-60947-RBC
)	Chapter 7
Debtor.)	
)	

**AMENDED NOTICE OF HEARING AND NOTICE OF (I) TRUSTEE’S APPLICATION
TO EMPLOY AUCTIONEER AND (II) TRUSTEE’S MOTION FOR APPROVAL
OF AUCTION PROCEDURES AND FORM OF NOTICE THEREOF**

PLEASE TAKE NOTICE THAT on May 26, 2022, Hannah W. Hutman, Chapter 7 Trustee (the “**Trustee**”) of the bankruptcy estate of Rice Timber Solutions, LLC (the “**Debtor**”), by counsel, filed with the United States Bankruptcy Court for the Western District of Virginia, Harrisonburg Division (the “**Court**”) the (I) *Trustee’s Application to Employ Auctioneer* (the “**Application**”), and (II) *Trustee’s Motion for Approval of Auction Procedures and Form of Notice Thereof* (the “**Motion**”).

Through the Application, the Trustee seeks authorization to employ Torrence, Read & Forehand Auctions, L.C. in the professional capacity of auctioneer to conduct a sale (the “**Auction**”) of certain equipment transferred by the Debtor to Rice R.O.W., LLC and Rice Timber and Land Solutions, LLC (collectively, the “**Rice Parties**”). The equipment is as follows:

- (a) 1996 Kenworth W900L;
- (b) 2001 International 9900I tractor;
- (c) 1999 GMC 2500 pickup;
- (d) 2003 Pitts Trailer;
- (e) 1982 Fruehauf Trailer;
- (f) 2001 Pitts Trailer;
- (g) 2011 Hudson Trailer;
- (h) 2004 Pitts Trailer;
- (i) 1964 Dorsey Trailer;
- (j) 2002 Pitts Trailer;
- (k) 1997 Pitts Trailer;

Robert S. Westermann (VSB No. 43294)
Brittany B. Falabella (VSB No. 80131)
Hirschler Fleischer, P.C.
Post Office Box 500
Richmond, Virginia 23218-0500
(804) 771-9500
(804) 644-0957 (fax)
Email: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com

Counsel for Hannah W. Hutman, Chapter 7 Trustee

- (l) 1999 Dodge Truck; and
- (m) 2011 Pitts Trailer

(collectively, the “**Equipment**”).

Relatedly, through the Motion, the Trustee seeks entry of an Order (i) authorizing and scheduling the Auction for August 30, 2022 or such other date selected by the Trustee after notice to all parties in interest at 1866 Chapel Grove Road, Evington, Virginia or online, and (ii) approving the form of Notice of Auction.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in these bankruptcy cases. (If you do not have an attorney, you may wish to consult one.)

PLEASE TAKE FURTHER NOTICE that the Motion is immediately available through PACER on the Court’s website or from counsel for the Trustee. Contact information for counsel for the Trustee is as follows:

Robert S. Westermann
Brittany B. Falabella
The Edgeworth Building
2100 East Cary Street
Richmond, Virginia 23218-0500
Telephone: 804.771.9500
Facsimile: 804.644.0957
E-mail: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the Motion, then on or before **June 9, 2022**, you or your attorney must:

1. File with the Court at the address shown below a written response(s) to the Motion. You must mail or otherwise file your response(s) early enough so the Court will **receive** it on or before **June 9, 2022**:

Clerk of the Court
United States Bankruptcy Court
116 N. Main St., Room 223
Harrisonburg, VA 22802

2. You must also serve your written response(s) on the following counsel for the Trustee at the address shown below. You must serve the written response(s) early enough so that such counsel will **receive** it on or before **June 9, 2022**:

Robert S. Westermann, Esq.
Brittany B. Falabella, Esq.
Hirschler Fleischer, P.C.
2100 East Cary Street
Richmond, Virginia 23218-0500
Email: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com

3. You must also attend the hearing to be held via remote video conference on **June 16, 2022, at 10:00 A.M.** before the Honorable Rebecca B. Connelly using the following link:

<https://vawb-uscourts-gov.zoom.gov/j/1603692643>

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested therein.

[Remainder of page left intentionally blank]

Dated: June 2, 2022

/s/ Brittany B. Falabella

Robert S. Westermann (VSB No. 43294)
Brittany B. Falabella (VSB No. 80131)
HIRSCHLER FLEISCHER, P.C.
The Edgeworth Building
2100 East Cary Street
Post Office Box 500
Richmond, Virginia 23218-0500
Telephone: (804) 771-9500
Facsimile: (804) 644-0957
E-mail: rwestermann@hirschlerlaw.com
bfalabella@hirschlerlaw.com

Counsel for Hannah W. Hutman, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which then sent a notification of such filing to all counsel of record registered with the CM/ECF system. Additionally on June 2, 2022, a true and correct copy of the foregoing Notice was served via first class mail upon the parties listed on the attached **Service List**.

/s/ Brittany B. Falabella
Counsel

SERVICE LIST

Label Matrix for local noticing
0423-6
Case 20-60947
Western District of Virginia
Lynchburg
Wed May 25 09:23:14 EDT 2022

Hirschmiller, P.C.
2100 East Cary Street
PO Box 500
Richmond, VA 23218-0500

Rice R.O.W., LLC
311 Chapel Grove Road
Evington, VA 24550-2297

Rice Timber Solutions, LLC
732 Chapel Grove Road
Evington, VA 24550-2076

Rice Timber and Land Solutions, LLC
311 Chapel Grove Road
Evington, VA 24550-2297

Truist Bank
c/o Peter M. Pearl, Esquire
P. O. Box 90
Roanoke, VA 24002-0090

US Bankruptcy Court
Lynchburg Division
1101 Court St, Room 166
Lynchburg, VA 24504-4597

Ann Shortt
PO Box 225
Altavista, VA 24517-0225

Ann W. Shortt
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

(p)BB AND T
PO BOX 1847
WILSON NC 27894-1847

BB & T, Truist
Attn: Bankruptcy
PO Box 1847
Wilson, NC 27894-1847

Boxley Materials Company LLC
15418 West Lynchburg Salem Turnpike
Blue Ridge, VA 24064-3033

Campbell County Treasurer
Attn: Robin F. Jefferson, Treasurer
P.O. Box 37
Rustburg, VA 24588-0037

Capital One Bank (USA), N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

Carter Machinery Company Inc
PO box 751053
Charlotte, NC 28275-1053

Complete Payment Recovery Services
PO box 30184
Tampa, FL 33630-3184

Conserve
P.O. Box 6320
Aurora, IL 60598-0320

Creditors Collection Service
PO Box 21504
Roanoke, VA 24018-0152

Dale Phillips
152 Oak Ridge Drive
Altavista, VA 24517-2215

Dale W. Phillips
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

F.E. 'Tripp' Isnhour, II, Attorney
Campbell County of Virginia
PO Box 100
Rustburg, VA 24588-0100

Firstpoint Coll
PO Box 26140
Greensboro, NC 27402-6140

(p)GLASSER AND GLASSER P L C
P O BOX 3400
NORFOLK VA 23514-3400

Green Capital Funding
53 Mason Street
Greenwich, CT 06830-5427

Hawkins Graves Inc
PO box 11675
Lynchburg, VA 24506-1675

Helen Barbour
RT. 141 Camp Branch Road
Gretna, VA 24557

Helen W. Barbour
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

J B Heavy Equipment Repair Inc
1189 Piney Road
Gretna, VA 24557-2581

James River Equipment
PO Box 745382
Atlanta, GA 30374-5382

John D. Purdy, Esquire
Fullerton & Knowles, PC
12642 Chapel Road
Clifton, VA 20124-1953

Knigh Documenting
9 East Loockerman St
Ste 202-543
Dover, DE 19901-8306

Lawrence Equipment, Inc
P.O. Box 335
Cloverdale, VA 24077-0335

Peter Pearl Esquire
Spilman Thomas & Battle PLLC
Po Box 90
Roanoke, VA 24002-0090

Rice R.O.W., LLC
Attn: Ryland F. Rice, Member/Manager
311 Chapel Grove Road
Evington, VA 24550-2297

Rice R.O.W., LLC and Rice Timber and Land So
Wood Rogers PLC
P. O. Box 14125
Roanoke, VA 24038-4125

Rice Timber Solutions, LLC
Ryland B. Rice, Member/Manager
732 Chapel Grove Road
Evington, VA 24550-2076

Ryland F. Rice
311 Chapel Grove Road
Evington, VA 24550-2297

Scott A Cox, Forwarding Director
Williams & Williams, Inc
2321 Bardstown Road
Louisville, KY 40205-2120

Spilman Thomas & Battle PLLC
C/O Truist Bank f/k/a BB& T Company
310 First Street Suite 1100
Roanoke, VA 24011-1916

TREASUER OF CAMPBELL COUNTY
PO BOX 37
RUSTBURG, VA 24588-0037

Truist Bank f/k/a Branch Banking and Trust C
c/o Peter M. Pearl, Esquire
Spilman Thomas & Battle PLLC
P. O. Box 90
Roanoke, VA 24002-0090

USTrustee
Office of the United States Trustee
210 First Street, Suite 505
Roanoke, VA 24011-1620

VA Department of Taxation
Bankruptcy Department
P O Box 2156
Richmond, VA 23218-2156

World Business Lenders
101 Hudson Street 33rd Floor
Jersey City, NJ 07302-3905

World Business Lenders
P.O. Box 479
Elmsford, NY 10523-0479

World Business Lenders
c/o M. Christine Maggard
Brock and Scott, PLLC Attorneys at Law
8757 Red Oak Blvd., Suite 150
Charlotte, NC 28217-3977

Hannah W. Hutman(436156)
Hoover Penrod
342 S. Main Street
Harrisonburg, VA 22801-3628

Reginald R Yancey
P O Box 11908
Lynchburg, VA 24506-1908

Richard C Maxwell
Woods Rogers PLC
10 S. Jefferson Street
Suite 1800
Roanoke, VA 24011-1323

W. Joel Charboneau
Office of the United States Trustee
210 First Street
Suite 505
Roanoke, VA 24011-1620

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

BB & T
Attn: Bankruptcy
PO Box 1847
Wilson, NC 27894

Glasser & Glasser PLC
PO box 3400
Norfolk, VA 23514

Internal Revenue Service
400 N 8th Street Box 76
M/S Room 898
Richmond, VA 23219

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Lake Country Drive, LLC

(u)World Business Lenders
Document Page 8 of 8

(d)Internal Revenue Service
CENTRALIZED INSOLVENCY OPERATIONS
P.O. Box 7346
Philadelphia, PA 19101-7346

(u)U.S. Trustee

(d)Ann W. Shortt
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

(d)Dale W. Phillips
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

(d)Helen W. Barbour
c/o Paul J. Feinman
Petty, Livingston, Dawson & Richards
PO Box 1080
Lynchburg, VA 24505-1080

(u)Reginald Yancey

End of Label Matrix
Mailable recipients 50
Bypassed recipients 8
Total 58